

CHAPTER 14—TRUST TERRITORY OF THE PACIFIC ISLANDS

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TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

The Trust Territory of the Pacific Islands, which included the Northern Mariana Islands, the Federated States of Micronesia, the Marshall Islands, and Palau, terminated. The Trusteeship Agreement terminated with respect to the Republic of the Marshall Islands on Oct. 21, 1986, with respect to the Federated States of Micronesia and the Commonwealth of the Northern Mariana Islands on Nov. 3, 1986, and with respect to the Republic of Palau on Oct. 1, 1994. See Proc. No. 5564, Nov. 3, 1986, 51 F.R. 40399, set out as a note under section 1801 of this title, and Proc. No. 6726, Sept. 27, 1994, 59 F.R. 49777, set out as a note under section 1931 of this title.

For provisions relating to the Northern Mariana Islands, formerly set out as notes under section 1681 of this title, see chapter 17 (§1801 et seq.) of this title. For provisions relating to the Federated States of Micronesia, the Marshall Islands, and Palau, formerly set out as notes under section 1681 of this title, see chapter 18 (§1901 et seq.) of this title.

§ 1681. Continuance of civil government for Trust Territory of the Pacific Islands; assistance programs; maximum fiscal year costs; reimbursement

(a) Until Congress shall further provide for the government of the Trust Territory of the Pacific

Islands, all executive, legislative, and judicial authority necessary for the civil administration of the Trust Territory shall continue to be vested in such person or persons and shall be exercised in such manner and through such agency or agencies as the President of the United States may direct or authorize.

(b) The head of any department, corporation, or other agency of the executive branch of the Government may, upon the request of the Secretary of the Interior, extend to the Trust Territory of the Pacific Islands, with or without reimbursement, scientific, technical, and other assistance under any program administered by such agency, or extend to the Trust Territory any Federal program administered by such agency, if the assistance or program will promote the welfare of the Trust Territory, notwithstanding any provision of law under which the Trust Territory may otherwise be ineligible for the assistance or program: *Provided*, That the Secretary of the Interior shall not request assistance pursuant to this subsection that involves, in the aggregate, an estimated nonreimbursable cost in any one fiscal year in excess of \$150,000: *Provided further*, That the cost of any program extended to the Trust Territory under this subsection shall be reimbursable out of appropriations authorized and made for the government of the Trust Territory pursuant to section 2 of this Act, as amended. The provisions of this subsection shall not apply to financial assistance under a grant-in-aid program.

(June 30, 1954, ch. 423, §1, 68 Stat. 330; Pub. L. 88-487, §1, Aug. 22, 1964, 78 Stat. 601.)

REFERENCES IN TEXT

Section 2 of this Act, as amended, referred to in subsec. (b), means section 2 of act June 30, 1954, set out as a note below.

CODIFICATION

Section was formerly classified to section 1435 of this title.

AMENDMENTS

1964—Pub. L. 88-487 designated existing provisions as subsec. (a) and added subsec. (b).

NOTES TRANSFERRED

For provisions relating to the Northern Mariana Islands, formerly set out as notes under this section, see chapter 17 (§1801 et seq.) of this title. For provisions relating to the Federated States of Micronesia, the Marshall Islands, and Palau, formerly set out as notes under this section, see chapter 18 (§1901 et seq.) of this title.

SIMILAR PROVISIONS

Similar provisions continuing the civil government for the Trust Territory of the Pacific Islands until June 30, 1954, were contained in act Aug. 8, 1953, ch. 383, §§1, 2, 67 Stat. 494, 495.

AUTHORIZATION OF APPROPRIATIONS

Pub. L. 87-541, July 19, 1962, 76 Stat. 171, provided in part that not more than \$15,000,000 be authorized to be appropriated for the fiscal year 1963.

Section 2 of act June 30, 1954, as amended July 19, 1962, Pub. L. 87-541, 76 Stat. 171; May 10, 1967, Pub. L. 90-16, §1, 81 Stat. 15; Oct. 21, 1968, Pub. L. 90-617, §1, 82 Stat. 1213; Dec. 24, 1970, Pub. L. 91-578, 84 Stat. 1559; Sept. 21, 1973, Pub. L. 93-111, §1, 87 Stat. 354; May 28,

1975, Pub. L. 94-27, §1, 89 Stat. 95; Apr. 1, 1976, Pub. L. 94-255, §1, 90 Stat. 299; Oct. 15, 1977, Pub. L. 95-134, title I, §101, 91 Stat. 1159; Mar. 12, 1980, Pub. L. 96-205, title I, §101, 94 Stat. 84; Dec. 24, 1980, Pub. L. 96-597, title IV, §401, 94 Stat. 3478, provided that: "There are authorized to be appropriated not to exceed \$25,000,000 for fiscal year 1967, for fiscal year 1975, \$75,000,000 for fiscal year 1976, \$80,000,000; for the period beginning July 1, 1976, and ending September 30, 1976, \$15,100,000; for fiscal year 1977, \$80,000,000; and such amounts as were authorized but not appropriated for fiscal years 1975, 1976, and 1977; for fiscal year 1978, \$90,000,000; for fiscal year 1979, \$122,700,000; for fiscal year 1980, \$112,000,000; for fiscal years after fiscal year 1980, such sums as may be necessary, including, but not limited to, sums needed for completion of the capital improvement program; for a basic communications system; for a feasibility study and construction of a hydroelectric project on Ponape; for expenditure by grant or contract for the installation, operation, and maintenance of communications systems which will provide internal and external communications; and up to but not to exceed \$8,000,000 for the construction of such buildings as are required for a four-year college to serve the Micronesian community (no appropriations for the construction of such buildings shall, however, be made (A) until, but not later than one year after the date of the enactment of this Act [Apr. 1, 1976], the President causes a study to be made by an appropriate authority to determine the educational need and the most suitable educational concept for such a college and transmits such study, together with his recommendations, to the Committees on Interior and Insular Affairs of the Senate and House of Representatives of the United States within said one year period and (B) until 90 calendar days after the receipt of such study and recommendations which shall be deemed approved unless specifically disapproved by resolution of either such committee), and \$1,800,000 for a human development project in the Marshall Islands plus such sums as are necessary, for each of such fiscal years, or periods, to offset reductions in, or the termination of, Federal grant-in-aid programs or other funds made available to the Trust Territory of the Pacific Islands by other Federal agencies, to remain available until expended, to carry out the provisions of this Act [this section] and to provide for a program of necessary capital improvements and public works related to health, education, utilities, highways, transportation facilities, communications, and public buildings: *Provided*, That except for funds appropriated for the activities of the Peace Corps no funds appropriated by any Act shall be used for administration of the Trust Territory of the Pacific Islands except as may be specifically authorized by law."

INVENTORY AND STUDY OF MOST UNIQUE AND SIGNIFICANT NATURAL, HISTORICAL, ETC., RESOURCES OF TRUST TERRITORY OF THE PACIFIC ISLANDS

Pub. L. 97-357, title II, §205, Oct. 19, 1982, 96 Stat. 1708, directed Secretary of the Interior to conduct a comprehensive inventory and study of the most unique and significant natural, historical, cultural and recreational resources of Trust Territory of the Pacific Islands with objective of preservation of their values and their careful use and appreciation by the public, along with a determination of their potential for attracting tourism, further provided that such inventory and study was to be conducted in full cooperation and consultation with affected governmental officials and the interested public, and was to identify areas or sites which qualified to be listed on Registry of Natural Landmarks and National Register of Historic Places, and further provided that a full report on such inventory and study was to be transmitted to the respec-

tively involved governments and Congress no later than two complete calendar years after Oct. 19, 1982.

ESTABLISHMENT OF PERMANENT LOCATION FOR DISPLACED PEOPLE OF BIKINI ISLAND; PROGRESS REPORT TO CONGRESS; CONTENTS

Pub. L. 95-348, §2(c), Aug. 18, 1978, 92 Stat. 488, directed Secretary of the Interior to prepare and submit to Congress by July 1, 1979, a progress report on efforts to establish a permanent location for displaced people of Bikini Island.

DISASTER RELIEF

Section 3 of act June 30, 1954, ch. 423, as added Pub. L. 90-617, §2, Oct. 21, 1968, 82 Stat. 1213, and amended Pub. L. 91-606, title III, §301(k), Dec. 31, 1970, 84 Stat. 1759; Pub. L. 93-288, title VI, §602(k), May 22, 1974, 88 Stat. 164; Pub. L. 100-707, title I, §109(w), Nov. 23, 1988, 102 Stat. 4710, provided that: "There are hereby authorized to be appropriated such sums as the Secretary of the Interior may find necessary, but not to exceed \$10,000,000 for any one year, to alleviate suffering and damage resulting from major disasters that occur in the Trust Territory of the Pacific Islands. Such sums shall be in addition to those authorized in section 2 of this Act [set out as a note above] and shall not be subject to the limitations imposed by section 2 of this Act. The Secretary of the Interior shall determine whether or not a major disaster has occurred in accordance with the principles and policies of sections 102(2) and 401 of the [Robert T. Stafford] Disaster Relief and Emergency Assistance Act [42 U.S.C. 5122(2), 5170]."

ISLAND TRADING COMPANY OF MICRONESIA

Act Aug. 8, 1953, ch. 383, §3, 67 Stat. 495, provided that notwithstanding the provisions of the Interior Department Appropriation Act, 1953 (Pub. L. 470, ch. 597, 66 Stat. 445), the Island Trading Company of Micronesia not have succession after Dec. 31, 1954.

AUTHORIZING APPROVAL OF TRUSTEESHIP AGREEMENT FOR THE TERRITORY OF THE PACIFIC ISLANDS

Act July 18, 1947, ch. 271, 61 Stat. 397, authorized President to approve, on behalf of the United States, the trusteeship agreement between the United States and the Security Council of the United Nations for the former Japanese mandated islands (to be known as the Territory of the Pacific Islands) which was approved by the Security Council on Apr. 2, 1947.

EXECUTIVE ORDER No. 10265

Ex. Ord. No. 10265, eff. June 29, 1951, 16 F.R. 6419, which related to transfer of administration of Trust Territory of the Pacific Islands, was superseded by Ex. Ord. No. 11021, eff. May 8, 1962, 27 F.R. 4409, formerly set out below.

EXECUTIVE ORDER No. 11021

Ex. Ord. No. 11021, eff. May 7, 1962, 27 F.R. 4409, as amended by Ex. Ord. No. 11944, eff. Oct. 25, 1976, 41 F.R. 47215, which related to administration of Trust Territory of the Pacific Islands, was superseded by Ex. Ord. No. 12569, Oct. 16, 1986, 51 F.R. 37171, set out as a note under section 1901 of this title.

§ 1681a. Appointment of High Commissioner

Any appointment made on or after May 10, 1967, to the office of the High Commissioner of the Trust Territory of the Pacific Islands shall be made by the President by and with the advice and consent of the Senate.

(Pub. L. 90-16, §2, May 10, 1967, 81 Stat. 15.)

§ 1681b. Transfer of functions from government comptroller for Guam to Inspector General, Department of the Interior

(a) Functions, powers, and duties transferred

The following functions, powers, and duties heretofore vested in the government comptroller for Guam with respect to the government of the Trust Territory of the Pacific Islands and the government of the Northern Mariana Islands are hereby transferred to the Inspector General, Department of the Interior, for the purpose of establishing an organization which will maintain a satisfactory level of independent audit oversight of the governments of the Marshall Islands, the Federated States of Micronesia, Palau, and the Northern Mariana Islands:

(1) The authority to audit all accounts pertaining to the revenue and receipts of the governments of the Marshall Islands, the Federated States of Micronesia, Palau, and the Northern Mariana Islands, and of funds derived from bond issues, and the authority to audit, in accordance with law and administrative regulations, all expenditures of funds and property pertaining to the aforementioned governments including those pertaining to trust funds held by such governments.

(2) The authority to report to the Secretary of the Interior, the High Commissioner of the Trust Territory of the Pacific Islands, the chief executives of the governments of the Marshall Islands, the Federated States of Micronesia, Palau, and the Northern Mariana Islands all failures to collect amounts due the governments, and expenditures of funds or uses of property which are irregular or not pursuant to law.

(b) Scope of authority transferred

The authority granted in paragraph (a) of this section shall extend to all activities of the governments of the Marshall Islands, the Federated States of Micronesia, Palau, and the Northern Mariana Islands, and shall be in addition to the authority conferred upon the Inspector General by the Inspector General Act of 1978 (92 Stat. 1101), as amended. This section is not subject to termination under section 502(a)(3) of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America (90 Stat. 263, 268).

(c) Transfer of personnel, assets, etc., of office of government comptroller for Guam to Office of Inspector General, Department of the Interior

In order to carry out the provisions of this section, the personnel, assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds employed, held, used, arising from, available or to be made available, of the office of the government comptroller for Guam related to its audit function, with respect to the government of the Trust Territory of the Pacific Islands and the government of the Northern Mariana Islands are hereby transferred to the Office of Inspector General, Department of the Interior.

(June 30, 1954, ch. 423, § 4, as added Pub. L. 97-357, title II, § 203(b), Oct. 19, 1982, 96 Stat. 1707.)

REFERENCES IN TEXT

The Inspector General Act of 1978, referred to in subsec. (b), is Pub. L. 95-452, Oct. 12, 1978, 92 Stat. 1101, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

Section 502(a)(3) of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, referred to in subsec. (b), is contained in section 1 of Pub. L. 94-241, set out as a note under section 1801 of this title.

PRIOR PROVISIONS

A prior section 1681b, acts June 30, 1954, ch. 423, § 4, as added Sept. 21, 1973, Pub. L. 93-111, § 2, 87 Stat. 354; amended Oct. 15, 1977, Pub. L. 95-134, title II, § 203(b), 91 Stat. 1162; Mar. 12, 1980, Pub. L. 96-205, title II, § 201(b), 94 Stat. 85, related to duties of government comptroller for Guam in addition to those imposed by Organic Act of Guam, prior to repeal by Pub. L. 97-357, § 203(b).

§ 1681c. Repealed. Pub. L. 97-357, title II, § 203(d), Oct. 19, 1982, 96 Stat. 1708

Section, Pub. L. 96-205, title II, § 201(a), Mar. 12, 1980, 94 Stat. 85, related to the payment of the salary and expenses of the government comptroller for the Northern Mariana Islands from funds appropriated to the Department of the Interior.

§ 1682. Omitted

CODIFICATION

Section, act Oct. 5, 1992, Pub. L. 102-381, title I, 106 Stat. 1393, which authorized government of Trust Territory of Pacific Islands to make purchases through General Services Administration, was from the Department of the Interior and Related Agencies Appropriations Act, 1992, and was not repeated in subsequent appropriation acts. See section 1469e of this title. Similar provisions were contained in the following prior appropriation acts:

Nov. 13, 1991, Pub. L. 102-154, title I, 105 Stat. 1008.
 Nov. 5, 1990, Pub. L. 101-512, title I, 104 Stat. 1933.
 Oct. 23, 1989, Pub. L. 101-121, title I, 103 Stat. 717.
 Sept. 27, 1988, Pub. L. 100-446, title I, 102 Stat. 1797.
 Dec. 22, 1987, Pub. L. 100-202, § 101(g) [title I], 101 Stat. 1329-213, 1329-232.
 Oct. 18, 1986, Pub. L. 99-500, § 101(h) [title I], 100 Stat. 1783-242, 1783-258, and Oct. 30, 1986, Pub. L. 99-591, § 101(h) [title I], 100 Stat. 3341-242, 3341-259.
 Dec. 19, 1985, Pub. L. 99-190, § 101(d) [title I], 99 Stat. 1224, 1239.
 Oct. 12, 1984, Pub. L. 98-473, title I, § 101(c) [title I], 98 Stat. 1837, 1851.
 Nov. 4, 1983, Pub. L. 98-146, title I, 97 Stat. 932.
 Dec. 30, 1982, Pub. L. 97-394, title I, 96 Stat. 1979.
 Dec. 23, 1981, Pub. L. 97-100, title I, 95 Stat. 1402.
 Dec. 12, 1980, Pub. L. 96-514, title I, 94 Stat. 2969.
 Nov. 27, 1979, Pub. L. 96-126, title I, 93 Stat. 966.
 Oct. 17, 1978, Pub. L. 95-465, title I, 92 Stat. 1289.
 July 26, 1977, Pub. L. 95-74, title I, 91 Stat. 295.
 July 31, 1976, Pub. L. 94-373, title I, 90 Stat. 1053.
 Dec. 23, 1975, Pub. L. 94-165, title I, 89 Stat. 988.
 Aug. 31, 1974, Pub. L. 93-404, title I, 88 Stat. 813.
 Oct. 4, 1973, Pub. L. 93-120, title I, 87 Stat. 434.
 Aug. 10, 1972, Pub. L. 92-369, title I, 86 Stat. 513.
 Aug. 10, 1971, Pub. L. 92-76, title I, 85 Stat. 233.
 July 31, 1970, Pub. L. 91-361, title I, 84 Stat. 673.
 Oct. 29, 1969, Pub. L. 91-98, title I, 83 Stat. 152.
 July 26, 1968, Pub. L. 90-425, title I, 82 Stat. 430.
 June 24, 1967, Pub. L. 90-28, title I, 81 Stat. 63.
 May 31, 1966, Pub. L. 89-435, title I, 80 Stat. 174.
 June 28, 1965, Pub. L. 89-52, title I, 79 Stat. 179.
 July 7, 1964, Pub. L. 88-356, title I, 78 Stat. 278.
 July 26, 1963, Pub. L. 88-79, title I, 77 Stat. 102.
 Aug. 9, 1962, Pub. L. 87-578, title I, 76 Stat. 340.
 Aug. 3, 1961, Pub. L. 87-122, title I, 75 Stat. 251.
 May 13, 1960, Pub. L. 86-455, title I, 74 Stat. 112.
 June 23, 1959, Pub. L. 86-60, title I, 73 Stat. 101.

June 4, 1958, Pub. L. 85-439, title I, 72 Stat. 164.
 July 1, 1957, Pub. L. 85-77, title I, 71 Stat. 266.
 June 13, 1956, ch. 380, title I, 70 Stat. 265.
 June 16, 1955, ch. 147, title I, 69 Stat. 149.
 July 1, 1954, ch. 446, title I, 68 Stat. 372.
 July 31, 1953, ch. 298, title I, 67 Stat. 273.
 July 9, 1952, ch. 597, title I, 66 Stat. 458.
 Aug. 31, 1951, ch. 375, title I, 65 Stat. 263.

§ 1683. Auditing of transactions of Trust Territory of the Pacific Islands

All financial transactions of the Trust Territory, including such transactions of all agencies or instrumentalities established or utilized by such Trust Territory, may be audited by the General Accounting Office, at its discretion, in accordance with chapter 35 of title 31.

(Pub. L. 103-332, title I, Sept. 30, 1994, 108 Stat. 2516.)

CODIFICATION

Section is from the appropriation act cited as the credit to this section.

Section was formerly classified to section 1436 of this title.

PRIOR PROVISIONS

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 103-138, title I, Nov. 11, 1993, 107 Stat. 1395.
 Pub. L. 102-381, title I, Oct. 5, 1992, 106 Stat. 1393.
 Pub. L. 102-154, title I, Nov. 13, 1991, 105 Stat. 1008.
 Pub. L. 101-512, title I, Nov. 5, 1990, 104 Stat. 1933.
 Pub. L. 101-121, title I, Oct. 23, 1989, 103 Stat. 717.
 Pub. L. 100-446, title I, Sept. 27, 1988, 102 Stat. 1797.
 Pub. L. 100-202, § 101(g) [title I], Dec. 22, 1987, 101 Stat. 1329-213, 1329-232.
 Pub. L. 99-500, § 101(h) [title I], Oct. 18, 1986, 100 Stat. 1783-242, 1783-258, and Pub. L. 99-591, § 101(h) [title I], Oct. 30, 1986, 100 Stat. 3341-242, 3341-259.
 Pub. L. 99-190, § 101(d) [title I], Dec. 19, 1985, 99 Stat. 1224, 1239.
 Pub. L. 98-473, title I, § 101(c) [title I], Oct. 12, 1984, 98 Stat. 1837, 1851.
 Pub. L. 98-146, title I, Nov. 4, 1983, 97 Stat. 932.
 Pub. L. 97-394, title I, Dec. 30, 1982, 96 Stat. 1979.
 Pub. L. 97-100, title I, Dec. 23, 1981, 95 Stat. 1402.
 Pub. L. 96-514, title I, Dec. 12, 1980, 94 Stat. 2969.
 Pub. L. 96-126, title I, Nov. 27, 1979, 93 Stat. 966.
 Pub. L. 95-465, title I, Oct. 17, 1978, 92 Stat. 1289.
 Pub. L. 95-74, title I, July 26, 1977, 91 Stat. 295.
 Pub. L. 94-373, title I, July 31, 1976, 90 Stat. 1053.
 Pub. L. 94-165, title I, Dec. 23, 1975, 89 Stat. 988.
 Pub. L. 93-404, title I, Aug. 31, 1974, 88 Stat. 813.
 Pub. L. 93-120, title I, Oct. 4, 1973, 87 Stat. 434.
 Pub. L. 92-369, title I, Aug. 10, 1972, 86 Stat. 513.
 Pub. L. 92-76, title I, Aug. 10, 1971, 85 Stat. 233.
 Pub. L. 91-361, title I, July 31, 1970, 84 Stat. 673.
 Pub. L. 91-98, title I, Oct. 29, 1969, 83 Stat. 151.
 Pub. L. 90-425, title I, July 26, 1968, 82 Stat. 430.
 Pub. L. 90-28, title I, June 24, 1967, 81 Stat. 63.
 Pub. L. 89-435, title I, May 31, 1966, 80 Stat. 174.
 Pub. L. 89-52, title I, June 28, 1965, 79 Stat. 179.
 Pub. L. 88-356, title I, July 7, 1964, 78 Stat. 278.
 Pub. L. 88-79, title I, July 26, 1963, 77 Stat. 102.
 Pub. L. 87-578, title I, Aug. 9, 1962, 76 Stat. 340.
 Pub. L. 87-122, title I, Aug. 3, 1961, 75 Stat. 251.
 Pub. L. 86-455, title I, May 13, 1960, 74 Stat. 112.
 Pub. L. 86-60, title I, June 23, 1959, 73 Stat. 101.
 Pub. L. 85-439, title I, June 4, 1958, 72 Stat. 164.
 Pub. L. 85-77, title I, July 1, 1957, 71 Stat. 266.
 June 13, 1956, ch. 380, title I, 70 Stat. 265.
 June 16, 1955, ch. 147, title I, 69 Stat. 149.
 July 1, 1954, ch. 446, title I, 68 Stat. 372.
 July 31, 1953, ch. 298, title I, 67 Stat. 273.
 July 9, 1952, ch. 597, title I, 66 Stat. 458.

§ 1684. Expenditure of funds for administration of Trust Territory of the Pacific Islands

After June 30, 1954, no funds appropriated by any Act and no funds which are available or

which may become available from any source whatever shall be used for administration of the Trust Territory of the Pacific Islands, except as may be specifically authorized by law.

(July 31, 1953, ch. 298, title I, 67 Stat. 273.)

CODIFICATION

Section was formerly classified to section 1437 of this title.

Section is from the Interior Department Appropriation Act, 1954, act July 31, 1953.

PRIOR PROVISIONS

Similar provisions were contained in the Interior Department Appropriation Act, 1953, act July 9, 1952, ch. 597, title I, 66 Stat. 458.

§ 1685. Transfer of property or money for administration of Trust Territory of the Pacific Islands

After June 30, 1952, transfers to the Department of the Interior pursuant to the Federal Property and Administrative Services Act of 1949 [40 U.S.C. 471 et seq.] of equipment, material and supplies, excess to the needs of Federal agencies may be made at the request of the Secretary of the Interior without reimbursement or transfer of funds when required by the Interior Department for operations conducted in the administration of the Territories and the Trust Territory of the Pacific Islands.

(July 9, 1952, ch. 597, title I, § 108, 66 Stat. 460.)

REFERENCES IN TEXT

The Federal Property and Administrative Services Act of 1949, referred to in text, is act June 30, 1949, ch. 288, 63 Stat. 377, as amended. Provisions of that act relating to excess property are classified to chapter 10 (§ 471 et seq.) of Title 40, Public Buildings, Property, and Works. For complete classification of this Act to the Code, see Short Title note set out under section 471 of Title 40 and Tables.

CODIFICATION

Section was formerly classified to section 1438 of this title.

§§ 1686, 1687. Omitted

CODIFICATION

Section 1686, act July 31, 1953, ch. 298, title I, 67 Stat. 274, which prohibited new activity in the Trust Territory of the Pacific Islands requiring expenditures of Federal funds without specific prior approval of Congress, was not repeated in subsequent appropriation acts. Section was formerly classified to section 1439 of this title.

Section 1687, act Nov. 4, 1983, Pub. L. 98-146, title I, 97 Stat. 932, which provided that appropriations available for administration of Trust Territory of the Pacific Islands could be expended for purchase, etc., of surface vessels for official expenses and for commercial transportation expenses, was from the Department of the Interior and Related Agencies Appropriation Act, 1984, and was not repeated in subsequent appropriation acts. Section was formerly classified to section 1440 of this title. Similar provisions were contained in the following prior appropriation acts:

Dec. 30, 1982, Pub. L. 97-394, title I, 96 Stat. 1979.
 Dec. 23, 1981, Pub. L. 97-100, title I, 95 Stat. 1402.
 Dec. 12, 1980, Pub. L. 96-514, title I, 94 Stat. 2969.
 Nov. 27, 1979, Pub. L. 96-126, title I, 93 Stat. 966.
 Oct. 17, 1978, Pub. L. 95-465, title I, 92 Stat. 1289.
 July 26, 1977, Pub. L. 95-74, title I, 91 Stat. 295.
 July 31, 1976, Pub. L. 94-373, title I, 90 Stat. 1053.

Dec. 23, 1975, Pub. L. 94-165, title I, 89 Stat. 988.
 Aug. 31, 1974, Pub. L. 93-404, title I, 88 Stat. 813.
 Oct. 4, 1973, Pub. L. 93-120, title I, 87 Stat. 434.
 Aug. 10, 1972, Pub. L. 92-369, title I, 86 Stat. 513.
 Aug. 10, 1971, Pub. L. 92-76, title I, 85 Stat. 233.
 July 31, 1970, Pub. L. 91-361, title I, 84 Stat. 673.
 Oct. 29, 1969, Pub. L. 91-98, title I, 83 Stat. 152.
 July 26, 1968, Pub. L. 90-425, title I, 82 Stat. 431.
 June 24, 1967, Pub. L. 90-28, title I, 81 Stat. 63.
 May 31, 1966, Pub. L. 89-435, title I, 80 Stat. 174.
 June 28, 1965, Pub. L. 89-52, title I, 79 Stat. 179.
 July 7, 1964, Pub. L. 88-356, title I, 78 Stat. 278.
 July 26, 1963, Pub. L. 88-79, title I, 77 Stat. 102.
 Aug. 9, 1962, Pub. L. 87-578, title I, 76 Stat. 340.
 Aug. 3, 1961, Pub. L. 87-122, title I, 75 Stat. 251.
 May 13, 1960, Pub. L. 86-455, title I, 74 Stat. 113.
 June 23, 1959, Pub. L. 86-60, title I, 73 Stat. 101.
 June 4, 1958, Pub. L. 85-439, title I, 72 Stat. 164.
 July 1, 1957, Pub. L. 85-77, title I, 71 Stat. 266.
 June 13, 1956, ch. 380, title I, 70 Stat. 265.
 June 16, 1955, ch. 147, title I, 69 Stat. 149.
 July 1, 1954, ch. 446, title I, 68 Stat. 372.

§ 1688. Trust Territory of the Pacific Islands Economic Development Loan Fund

For the purpose of promoting economic development in the Trust Territory of the Pacific Islands, there is authorized to be appropriated to the Secretary of the Interior, for payment to the government of the Trust Territory of the Pacific Islands as a grant in accordance with the provisions of sections 1688 to 1693 of this title, an amount which when added to the development fund established pursuant to section 3 of the Act of August 22, 1964 (78 Stat. 601), as augmented by subsequent Federal grants, will create a total fund of \$5,000,000, which shall thereafter be known as the Trust Territory Economic Development Loan Fund.

(Pub. L. 92-257, § 1, Mar. 21, 1972, 86 Stat. 87.)

REFERENCES IN TEXT

Section 3 of the Act of August 22, 1964, referred to in text, is section 3 of act Aug. 22, 1964, Pub. L. 88-487, 78 Stat. 601, which is not classified to the Code.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1689, 1690 of this title.

§ 1689. Plan for use of grant to Trust Territory of the Pacific Islands Economic Development Loan Fund; loans; terms

The grant authorized by section 1688 of this title shall be made only after the government of the Trust Territory of the Pacific Islands has submitted to the Secretary of the Interior a plan for the use of the grant, and the plan has been approved by the Secretary. The plan shall provide among other things for a revolving fund to make loans or to guarantee loans to private enterprise. The term of any loan made pursuant to the plan shall not exceed twenty-five years.

(Pub. L. 92-257, § 2, Mar. 21, 1972, 86 Stat. 87.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1688, 1690, 1691 of this title.

§ 1690. Loans from Trust Territory of the Pacific Islands Economic Loan Fund; restrictions; guarantees

No loan or loan guarantee shall be made under sections 1688 to 1693 of this title to any applicant

who does not satisfy the territorial administering agency that financing is otherwise unavailable on reasonable terms and conditions. No loan or loan guarantee shall exceed (1) the amount which can reasonably be expected to be repaid, (2) the minimum amount necessary to accomplish the purposes of sections 1688 to 1693 of this title, or 25 per centum of the funds appropriated pursuant to section 1688 of this title. No loan guarantee shall guarantee more than 90 per centum of the outstanding amount of any loan, and the reserves maintained to guarantee the loan shall not be less than 25 per centum of the guarantee.

(Pub. L. 92-257, § 3, Mar. 21, 1972, 86 Stat. 87.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1688 of this title.

§ 1691. Fiscal control and accounting procedures for plan for use of grant

The plan provided for in section 1689 of this title shall set forth such fiscal control and accounting procedures as may be necessary to assure proper disbursement, repayment, and accounting for such funds.

(Pub. L. 92-257, § 4, Mar. 21, 1972, 86 Stat. 88.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1688, 1690 of this title.

§ 1692. Comprehensive annual financial report by chief executives of governments of the Marshall Islands, Federated States of Micronesia, Palau, and Northern Mariana Islands; contents; transmittal; other reports; written statement of actions taken or contemplated on Federal audit recommendations

The chief executives of the governments of the Marshall Islands, the Federated States of Micronesia, Palau, and the Northern Mariana Islands shall prepare, publish, and submit to the Congress and the Secretary of the Interior a comprehensive annual financial report in conformance with the standards of the National Council on Governmental Accounting within one hundred and twenty days after the close of the fiscal year. The comprehensive annual financial report shall include statistical data as set forth in the standards of the National Council on Governmental Accounting relating to the physical, economic, social, and political characteristics of the government, and any other information required by the Congress. The chief executives shall transmit the comprehensive annual financial report to the Inspector General of the Department of the Interior who shall audit it and report his findings to the Congress. The chief executives shall also make such other reports at such other times as may be required by the Congress or under applicable Federal laws. The chief executives shall submit to the Congress, the Secretary of the Interior, the High Commissioner of the Trust Territory of the Pacific Islands, and the cognizant Federal auditors a written statement of actions taken or contemplated on Federal audit recommendations within sixty days after the issuance date of the audit report. This section is not subject to termination under

section 502(a)(3) of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America (90 Stat. 263, 268).

(Pub. L. 92-257, § 5, Mar. 21, 1972, 86 Stat. 88; Pub. L. 97-357, title II, § 203(a), Oct. 19, 1982, 96 Stat. 1707.)

REFERENCES IN TEXT

Section 502(a)(3) of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, referred to in text, is contained in section 1 of Pub. L. 94-241, set out as a note under section 1801 of this title.

AMENDMENTS

1982—Pub. L. 97-357 substituted provisions relating to preparation, etc., by the chief executives of the governments of the Marshall Islands, etc., of a comprehensive annual financial report to be submitted to the Congress and the Secretary of the Interior and transmitted to the Inspector General of the Interior Department, preparation of other congressionally required reports, submission of a written statement of actions taken or contemplated on Federal audit recommendations, and prohibition of termination of this section under the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States, for provisions relating to an annual report by the High Commissioner of the Trust Territory of the Pacific Islands on the administration of sections 1688 to 1693 of this title.

EXCEPTION TO REQUIREMENT THAT STATEMENT BE SUBMITTED TO HIGH COMMISSIONER OF TRUST TERRITORY OF THE PACIFIC ISLANDS

Section 203(e) of Pub. L. 97-357 provided that: “Nothing in this section [adding section 1681b of this title, amending this section, and repealing section 1681c of this title] shall be construed as requiring the Governor of the Northern Mariana Islands to submit any statement or report to the High Commissioner of the Trust Territory of the Pacific Islands.”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1688, 1690 of this title.

§ 1693. Audit of government; access to books, records, etc.

The Comptroller General of the United States, or any of his duly authorized representatives, shall have access, for the purpose of audit and examination, to any relevant books, documents, papers, or records of the government of the Trust Territory of the Pacific Islands.

(Pub. L. 92-257, § 6, Mar. 21, 1972, 86 Stat. 88.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1688, 1690 of this title.

§§ 1694 to 1694e. Transferred

CODIFICATION

Sections 1694 to 1694e, Pub. L. 95-157, §§ 1-6, Nov. 8, 1977, 91 Stat. 1265-1267; Pub. L. 98-454, title IX, §§ 901-904, Oct. 5, 1984, 98 Stat. 1744, 1745, which related to establishment of District Court for the Northern Mariana Islands, original and appellate jurisdiction, procedural requirements, relations between courts of United States and courts of Northern Mariana Islands, effective date, and authorization of appropriations, were transferred to sections 1821 to 1826, respectively, of this title.

§ 1695. Federal education and health care programs; nonapplicability or nonparticipation

Notwithstanding any other provision of law, except in cases in which the Federal program is terminated with respect to all recipients under the program, Federal programs in the fields of education and health care shall not cease to apply to the Trust Territory of the Pacific Islands or any successor government or governments, and shall continue to be available to the extent said territory or its successor or successors are eligible to participate in such programs. Participation in any applicable Federal programs in the fields of education and health care by the Trust Territory of the Pacific Islands or any successor government or governments shall not be denied, decreased or ended, either before or after the termination of the trusteeship, without the express approval of the United States Congress and shall continue at such levels as the Congress may provide in appropriation Acts.

(Pub. L. 96-205, title I, § 104, Mar. 12, 1980, 94 Stat. 85; Pub. L. 96-597, title IV, § 403, Dec. 24, 1980, 94 Stat. 3479.)

AMENDMENTS

1980—Pub. L. 96-597 substituted “and shall continue to be available to the extent said territory or its successor or successors are eligible to participate in such programs. Participation” for “nor shall participation”, “governments shall not be denied” for “governments be denied” and inserted “and shall continue at such levels as the Congress may provide in appropriation Acts.” after “United States Congress”.

CHAPTER 15—CONVEYANCE OF SUBMERGED LANDS TO TERRITORIES

Sec.

1701 to 1703. Repealed.

1704. Concurrent jurisdiction; exceptions for national defense purposes.

1705. Tidelands, submerged lands, or filled lands.

(a) Conveyance to Guam, Virgin Islands, and American Samoa.

(b) Retention of certain lands and mineral rights by United States.

(c) Submittal to Congressional committees of proposals for conveyance of retained lands or rights.

(d) Oil, gas, and other mineral deposits in submerged lands conveyed to Guam, Virgin Islands, and American Samoa; conveyance by United States; existing leases, permits, etc.

1706. Reserved rights.

(a) Establishment of naval defense sea areas and airspace reservations.

(b) Navigation; flood control; power production.

(c) Navigational servitude and powers of regulation for purposes of commerce, navigation, national defense, and international affairs.

(d) Status of lands beyond the three-mile limit.

1707. Payment of rents, royalties, and fees to local government.

1708. Discrimination prohibited in rights of access to, and benefits from, conveyed lands.

§§ 1701 to 1703. Repealed. Pub. L. 93-435, § 5, Oct. 5, 1974, 88 Stat. 1212

Section 1701, Pub. L. 88-183, § 1, Nov. 20, 1963, 77 Stat. 338, related to authority of Secretary of the Interior to